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UNITED STATES INTELLIGENCE BOARD

SECURITY COMMITTEE

SECOM-D-13

19 November 1974

MEMORANDUM FOR: Security Committee Members

SUBJECT : Security Review of DCID 1/7, "Control of
Dissemination of Intelligence"

1. On 6 November 1974 the DCI referred DCID 1/7 to the Security Committee for review and recommendations to the USIB based on concerns recently expressed by CIA, AEC, State and DIA and Army on request for concurrences of this DCID by USIB members. The NSA, Treasury and FBI members have concurred in the current draft.

2. The following information is related to concerns of the other departments and agencies:

a. CIA -- CIA withheld concurrence for three reasons:

1) Concern whether or not NOFORN markings should be placed on USIB documents and documents of the Intelligence Resources Advisory Committee (IRAC). In this connection the CIA Acting Member of USIB notes that the USIB Secretariat considers all USIB documents as NOFORN unless otherwise stated, but USIB documents are not marked NOFORN. Two options appear to the CIA: (a) Mark all USIB documents NOFORN when they are not to be released to foreign governments, or (b) put a statement in the DCID 1/7 that all USIB documents are NOFORN unless otherwise marked. While the CIA member's choice is to have the USIB Secretariat mark all their documents, he recognizes that there is a whole body of USIB documents already outstanding without these markings. He suggested that perhaps both actions should be taken.

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2) The abbreviation for the Warning Notice printed on page 2 of the revised DCID as WINTEL is a misprint and should be WNINTEL. This spelling was specifically selected to permit maximum utilization of the abbreviation in computerized communications and storage systems. The fact that no English word begins with the letters WN makes WNINTEL more easily recognized by optical scanner readers and communications "stunt boxes" as an indicator for information requiring specialized handling and distribution.

3) The acting CIA member's third area of concern relates to the problem of security classification and dissemination control labels associated with sensitive intelligence in our computers. The language of paragraph 6(a) in the proposed directive appears to pose unnecessary restrictions and substitute language is offered as follows:

"a. Dissemination marking authorized in paragraph 4 above shall be displayed prominently on documents, incorporated in the text of communication messages, and associated with data stored or processed in automatic data processing systems."

b. AEC -- The AEC representative expressed concern that the marking "Not Releasable to Consultants or Contractors" will perhaps be interpreted in a very narrow sense and thus be counterproductive to the use of the national nuclear laboratories in their intelligence support to the AEC and other USIB agencies. The AEC member notes that as early as December 1972 the Department of Justice ruled that the special and unique relationship of the full-time weapons laboratory personnel enabled AEC to treat them as if they were full-time Federal employees for the purpose of the Federal Advisory Committee Act of 1972. The AEC member would like to have it made known to USIB agencies that the provisions of DCID 1/7 as pertains to consultants and contractors does not apply to the AEC national nuclear laboratories when their "need-to-know" has been established.

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c. Department of State -- The acting State member concurred, but stated that certain aspects of the proposed directive presented problems for State. Unspecified reference was made to paragraph 5(b)(2).

d. DIA -- The DIA member, while not identifying any specific problem, recommended that the DCID be referred to the Security Committee for staffing and recommendation to the USIB.

e. Department of the Army -- The Army principal concurred subject to three administrative changes:

1) Each paragraph of the draft DCID should be individually marked with its appropriate classification. The Army principal referred to the requirement of Section IV, paragraph C, NSC Directive No. 1, 17 May 1972, that individual parts of classified documents be marked with their own classification. As written, the DCID and thus the special markings appear to be classified CONFIDENTIAL.

2) Change the downgrading instructions from "Exemption category 5B(1), (2), (3)" to read "Exemption category 5B(2)." The Army principal is of the opinion that 5B(2) is the only category that applies.

3) Remove the marking "Controlled Dissem" from each page of the draft DCID. The Army principal points out that this term will be obsolete on implementation of the new DCID.

3. The Executive Secretary of the USIB in a memorandum to the Chairman, Security Committee, offered certain observations for use by the Committee in its review of DCID 1/7.

a. The USIB Secretary notes that historically, all USIB documents have been considered and treated as not releasable to foreigners unless specifically approved by the USIB or the DCI. He acknowledges that the present practice is somewhat ad hoc and points out that some committees use NOFORN on

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some documents while others subscribe to the historic USIB practice. He also mentions that some documents are authorized to be released as a matter of routine,



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b. He points out that there is a problem of defining what constitutes a USIB or IRAC document and asks if all documents produced at the committee, sub-committee and working group levels would fall under the definition of a USIB or IRAC document.

c. The USIB Secretary sees the possibility that a question might arise regarding all previously issued USIB documents should the policy now be established that NOFORN be used. With the sudden appearance of NOFORN, individuals might misconstrue previous documents as being releasable. It is possible that an individual at a lower echelon without ready access to DCID's could consider a USIB document releasable in the absence of the NOFORN marking.

d. Lastly, the USIB Secretary informs that an administrative burden ensues when and if the USIB agrees to release a particular document marked NOFORN by a requirement to subsequently notify all holders that the NOFORN no longer applies.

4. Members of the Security Committee are requested to take these expressions of concern into consideration during their review and formation of recommendations.

5. It would be appreciated if members of the Committee give this task early consideration and forward comments and suggestions to the Chairman in time to permit drafting a composite report which the members could review at the December meeting.



Chairman

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